

Remarks

Applicants request reconsideration of the application in view of the following remarks.

Claim Rejections

Claims 1-3, 7-8, and 11-12 were rejected as allegedly being obvious from Smets (U.S. Patent No. 6,079,939), Heide *et al.* (U.S. Patent No. 3,521,763), and Lisec (U.S. Publication No. 2004/0213659). Claim 13 was rejected as allegedly being obvious from Smets, Heide, Lisec and Roth (U.S. Patent No. 3,534,872). Claims 4-6, 9-10 and 14-24, were rejected as allegedly being obvious from Smets, Heide, Lisec and Jenkner (U.S. Patent No. 4,966,271).

Applicants submit that Lisec is not prior art with respect to the present application because Lisec was filed on April 12, 2004, while the present application claims a priority date of January 16, 2004. Applicants recognize that Lisec claims priority to a European application filed on April 11, 2003. However, Lisec is not prior art under 35 U.S.C. § 102(a)-(g) with respect to the present application by virtue of Lisec's claim of foreign priority. For example, the 102(e) date of a reference is the earliest U.S. filing date of the reference; foreign priority claims are not considered when determining the 102(e) date of a reference. Thus, the earliest 102(e) date of Lisec is April 12, 2004, which is later than the priority date of the present application.

See MPEP § 706.02(f)(1).

Accordingly, since Lisec is not prior art with respect to the present application, the rejections of claims 1-24 must be withdrawn.

Conclusion

The present application is in condition for allowance and such action is respectfully requested. If any issues remain concerning this application and can be resolved via a telephone conference, the examiner is invited to telephone the undersigned attorney

Respectfully submitted,

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